

REMARKS/ARGUMENTS

In the Restriction action issued 5 April 2004, a restriction requirement was raised between groups I-X.

In response, Applicants herein elect with traverse claim Group II, drawn to the screening method of claims 10-14.

The basis for traversal is that it would not present an additional search to include claim 24 in Group II. Claim 10 is drawn to a method of identifying an agent that inhibits muscle atrophy or induces hypertrophy comprising (a) obtaining cells that express (1) SHIP2, and (2) and Akt substrate/reporter construct capable of measuring Akt pathway activation; (b) subjecting the cells to a test agent; and (c) measuring the amount of Akt pathway activation. Claim 24 is drawn to component (a) of claim 10, that is, a cell comprising (1) SHIP2, and (2) and Akt substrate/reporter construct capable of measuring Akt pathway activation. Accordingly, it would not require a separate search or place a further search burden on the Examiner to include claim 24 in Group II.

Conclusion

It is believed that this document is now fully responsive to the Restriction requirement raised in the Restriction action dated 5 April 2004. In light of the above amendments and remarks, it is believed that the claims are now in condition for allowance, and such action is respectfully urged.

Fees

Although it is believed that no fees are due, in the event the Patent Office determines that fees are due, the Commissioner is hereby authorized to charge Deposit Account Number 18-050 in the amount of any fees deemed to be due.

Respectfully submitted



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